

**SUPPLEMENTAL EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Amended claim 15 below replaces all previous versions of claim 15.

Amend claim 15 as follows: in line 6 of the claim amended by the examiner on 5/8/2010, replace (D) with (b)

Claim 15 (Currently amended) A method of treating a hyperproliferative disorder in a subject in need thereof, comprising feeding said subject an amount effective to treat said hyperproliferative disorder of an edible composition for delivery of a retinide, said composition comprising a dry flowable powder, the dry flowable powder comprising:

(a) from 1 to 10 percent by weight of retinide;  
[(D)](b) from 5 to 40 percent by weight of non-acidic lipid matrix composition, said matrix

composition comprising at least one fatty acid, at least one monoglyceride, and lysophosphatidylcholine, and said lipid matrix composition containing not more than 4 moles water per mole of lipid matrix;

(c) from 1 to 30 percent by weight of sweetener;  
(d) from 20 to 80 percent by weight flour; and  
(e) from 0 to 16 percent by weight of a humectant,  
wherein said hyperproliferative disorders are:

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i) tumors, cancers and neoplastic tissue selected from the group consisting of breast cancers; osteosarcomas; angiosarcomas; fibrosarcomas; leukemias; lymphomas; sinus tumors; ovarian, uretal, bladder, prostate; colon, esophageal, stomach cancers; lung cancers; myelomas; pancreatic cancers; liver cancers; kidney cancers; endocrine cancers; skin cancers; and brain or central and peripheral nervous (CNS) system tumors, malignant or benign gliomas and neuroblastomas,

ii) premalignant, non-neoplastic or non-malignant hyperproliferative disorders selected from the group consisting of myelodysplastic disorders; cervical carcinoma-in-situ; Gardner syndrome, a familial intestinal polyposes; oral leukoplakias; histiocytoses; keloids; hemangiomas; hyperproliferative arterial stenosis, inflammatory arthritis; hyperkeratoses, arthritis that is a papulosquamous eruptions; and warts, infectious mononucleosis and scar formation that are viral induced hyperproliferative diseases.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BLESSING M. FUBARA whose telephone number is (571)272-0594. The examiner can normally be reached on Monday to Thursday from 7 a.m. to 5:30 p.m.

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5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Hartley can be reached on (571) 272-0616. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Blessing M. Fubara/  
Primary Examiner, Art Unit 1618